

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOUIE BEARCHILD,

Defendant.

CR-12-54-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on January 14, 2020. (Doc. 91.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 14, 2020. (Doc. 87.) The United States accused Bearchild of violating his conditions of supervised release 1) by using marijuana; and 2) by failing to complete his 60-day inpatient drug treatment. (Doc. 84.)

At the revocation hearing, Bearchild admitted that he had violated the conditions of his supervised release 1) by using marijuana; and 2) by failing to complete his 60-day inpatient drug treatment. (Doc. 87.) Judge Johnston found that Bearchild's violations warrant revocation, and recommended that Bearchild be incarcerated for 6 months with 21 months of supervised release to follow. (Doc. 91 at 4.) Bearchild waived his right to allocute before the undersigned and the 14 day right to appeal. (Doc. 87.)

The violations prove serious and warrant revocation of Bearchild's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 91) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Louie Bearchild be incarcerated for a term of 6 months, with 21 months of supervised release to follow. Bearchild should be subject to the same supervised release conditions imposed previously with one exception. Bearchild should not be required to serve

the first 60 days of supervised release at an inpatient substance abuse treatment facility.

DATED this 16th day of January, 2020.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris
United States District Court Judge

